GOVERNMENT OF INDIA
ENVIRONMENT AND FORESTS
LOK SABHA

UNSTARRED QUESTION NO:4518
ANSWERED ON:24.04.2000
SPECIAL ENVIRONMENT ADALATS
HARIBHAI PARTHIBHAI CHAUDHARY

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether the Government have examined the various decisions of the Hon. Supreme Court suggesting to set up special environment adalats to deal with the cases of violation of environment related laws;

(b) if so, the steps taken by the Government in this regard as on date;

(c) whether the Government propose to strengthen the institutional machinery at the centre and State levels; and

(d) if so, the details of the stringent measures taken by the Government in this regard?

Answer

MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT AND FORESTS

(SHRI BABU LAL MARANDI)

(a), (b) (c) & (d): After the observations of the Supreme Court in the Oleum gas leak case at Shriram Food & Fertilizer Industries Ltd., Delhi, suggesting setting up of Environmental Courts, the Government has enacted a legislation called the National Environment Tribunal Act, 1995 which provides for strict liability for damages arising out of any accident occurring while handling any hazardous substance. This Act provides for establishment of a National Environment Tribunal for effective and expeditious disposal of cases arising from such accidents. Recently, the Government has constituted a National Environment Appellate Authority under the National Environment Appellate Authority Act, 1997.

In order to strengthen institutional mechanism at the Central and State levels, the Government have delegated powers under the Environment (Protection) Act, 1986 to Central Pollution Control Board, State Pollution Control Boards and Committees. The State Pollution Control Boards/Committees have powers defined in the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act 1981. The legal capacity of the Central Pollution Control Board, State Pollution Control Boards and Committees is being further strengthened to enable the expeditious disposal of the cases.